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10     **Attorneys for Plaintiff**  
11     **J & J Sports Productions, Inc.**

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13        **UNITED STATES DISTRICT COURT**  
14        **NORTHERN DISTRICT OF CALIFORNIA**  
15        **SAN FRANCISCO DIVISION**

16     **J & J SPORTS PRODUCTIONS, INC.,**

17     **CASE NO. 3:12-cv-05774-SI**

18                **Plaintiff,**

19        **PLAINTIFF'S EX PARTE**  
20        **APPLICATION FOR AN ORDER**  
21        **CONTINUING CASE MANAGEMENT**  
22        **CONFERENCE; AND ORDER**  
23        **(Proposed)**

24                **vs.**

25     **SARA AVILA, et al.,**

26                **Defendants.**

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28        Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order continuing the Case Management Conference in this action, presently set for Tuesday, January 22, 2013 at 2:30 P.M. to a new date approximately thirty (30) to forty-five (45) days forward. This request is necessitated by the fact that Plaintiff's counsel has recently perfected service on defendants Sara Avila and Adalberto Avila. A true and correct copy of the Proofs of Service will be filed with this Honorable Court, shortly.

29        As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive  
30        pleading from the defendants. As a result, Plaintiff's counsel has not conferred with the defendants  
31        concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the  
32        case itself or the preparation of a Joint Case Management Conference Statement.

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36        **PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING**  
37        **CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)**  
38        **CASE NO. 3:12-cv-05774-SI**

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1           **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court continue the Case  
2 Management Conference presently scheduled for Tuesday, January 22, 2013 to a new date  
3 approximately thirty (30) to forty-five (45) days forward.

Respectfully submitted,

Dated: January 11, 2013

/s/ Thomas P. Riley

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**LAW OFFICES OF THOMAS P. RILEY, P.C.**

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc.

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**PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING  
CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)  
CASE NO. 3:12-cv-05774-SJ**

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## **ORDER (Proposed)**

It is hereby ordered that the Case Management Conference in civil action number 3:12-cv-05774-SI styled *J & J Sports Productions, Inc. v. Avila, et al.*, is hereby continued from Tuesday, January 22, 2013 at 2:30 P.M. to a new date of 2/22/13.

Plaintiff shall serve a copy of this Order on the Defendants and thereafter file a Certification of Service of this Order with the Clerk of the Court.

## **IT IS SO ORDERED:**

Susan Illston

Dated: 1/16/13

**THE HONORABLE SUSAN ILLSTON**  
**United States District Court**  
**Northern District of California**

1                   **PROOF OF SERVICE (SERVICE BY MAIL)**  
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3                   I declare that:

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5                   I am employed in the County of Los Angeles, California. I am over the age of eighteen years  
6 and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena,  
7 California 91030. I am readily familiar with this law firm's practice for collection and processing of  
8 correspondence/documents for mail in the ordinary course of business.

9

10                  On January 11, 2013, I served:

11

12                  **PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

13                  On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage  
14 prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

16

17                  Adalberto Avila (Defendant)  
18                  7820 Monterey Street  
19                  Gilroy, CA 95020

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21                  Sara Avila (Defendant)  
22                  7820 Monterey Street  
23                  Gilroy, CA 95020

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25                  I declare under the penalty of perjury pursuant to the laws of the United States that the  
foregoing is true and correct, and that this declaration was executed on January 11, 2013, at South  
Pasadena, California.

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27                  Dated: January 11, 2013

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                      \_\_\_\_\_  
*/s/ Maria Baird*  
**MARIA BAIRD**